

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Fred H. MILLER
Serial No.: 10/804,576
Filed: March 19, 2004
For: **MULTI-PHASE, MULT-COMPARTMENT
CAPSULAR DELIVERY APPARATUS AND
METHODS FOR USING SAME**
Examiner: Aradhana Sasan
Art Unit: 1615
Confirmation No.: 7069

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 24, 2009

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir:

The following is a description of the Interview between the undersigned attorney, and Examiners Sasan and Wax which took place on December 1, 2009.

The undersigned first briefly explained the status of the case to Examiner Wax, particularly with regard to the prior Office Action of August 13, 2008, the Amendment dated February 12, 2009, and Interview conducted on April 9, 2009.

The conversation then turned to the Office Action dated May 12, 2009. The undersigned walked the Examiners through the changes made to the claims by virtue of the Amendment filed on October 13, 2009. The undersigned explained how the changes made to the claims differentiated from the prior art relied upon by the Examiner. In doing so, the undersigned relied upon the arguments presented in the Amendment dated October 13, 2009. No arguments not found in the Amendment dated October 13, 2009 were presented during the Interview.

Statement of the Substance of the Interview

The undersigned also discussed the Declaration of the Inventor filed concurrently with the Amendment dated October 13, 2009. Once again, the undersigned did not make any points beyond the points made in the Declaration.

The Examiners indicated that, as a result of the changes to the claims, that the claims differentiated from the prior art relied upon by the Examiner in the Office Action dated May 19, 2009. The Examiners indicated that they would perform an additional search and review of the art of record, and would contact the undersigned if any issues remained.

The undersigned attorney has reviewed the Interview Summary dated December 10, 2009, and is in agreement with the comments provided by Examiner Sasan.

Conclusion

An early and favorable action on the merits is earnestly solicited. According to currently recommended Patent Office policy, the Examiner is specifically authorized to contact the undersigned in the event that a telephonic interview will advance the prosecution of this application.

Respectfully submitted,
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